



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

COOS BAY DISTRICT OFFICE

1300 AIRPORT LANE, NORTH BEND, OR 97459

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## **In Reply Refer To:**

1792/8300 (ORC030)

DOI-BLM-OR-C030-2009-0010-EA

Bastendorff Beach Restroom and Parking Lot

***September 25, 2009***

Dear Citizen:

We have completed the Bastendorff Beach Restroom and Parking Lot Environmental Assessment (DOI-BLM-OR-C030-2009-0010-EA) and have prepared a Finding of No Significant Impact (FONSI) analyzing the potential impacts of removing an old vault toilet, installing a double vault, concrete facility and delineating accessible parking at a parking area at Bastendorff Beach. This project is designed to implement management objectives and direction described in the 1995 Coos Bay District Resource Management Plan.

The environmental assessment analyzed the effects of a no-action alternative and a proposed-action alternative. The proposed action would provide a restroom as described above at the popular beach area. It is located in T. 26 S., R. 14 W., Sec.3, Lot 2, W.M.

You are encouraged to read the EA and comment on the appropriateness of the FONSI prior to the end of the 15-day comment period, October 10, 2009. This EA is located on our BLM web site at <http://www.blm.gov/or/districts/coosbay/plans/index.php>. A Decision Document will be published prior to implementing the activities.

Comments, including names and street addresses of respondents, will be available for public review at the address above during regular business hours (8:00 a.m. to 4:30 p.m.), Monday through Friday, except holidays, and may be published as part of the EA document or other related documents. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Questions should be directed to Nancy Zepf at (541) 756-0100.

Written comments on the EA and appropriateness of the draft FONSI may be sent to:

BLM Coos Bay District

Attn: Nancy Zepf

1300 Airport Lane

North Bend, OR 97459-2000

You may e-mail your comments to: [OR\\_CoosBay\\_Mail@blm.gov](mailto:OR_CoosBay_Mail@blm.gov) RE: Bastendorff Restroom  
EA, Attn: Nancy Zepf.

Sincerely,

*/s/ A. Dennis Turowski*

A. Dennis Turowski  
Umpqua Area Manager



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## **In Reply Refer To:**

1792/8300 (ORC030)

DOI-BLM-OR-C030-2009-0010-EA

## **FINDING OF NO SIGNIFICANT IMPACT**

**For the**

**BASTENDORFF BEACH RESTROOM AND PARKING LOT**

**DOI-BLM-OR-C030-2009-0010-EA**

### **I. Introduction**

An Interdisciplinary Team has prepared an Environmental Assessment (EA) in response to a request from Oregon State Parks and Recreation (OPRD) to assist in managing lands at Bastendorff Beach in Coos County, Oregon. The Bureau of Land Management (BLM) and OPRD have signed a Memorandum of Understanding to install and maintain a restroom in lieu of the existing, non-functioning toilet at the beach. This EA is hereby incorporated by reference. This document analyzed two alternatives: a no-action alternative and a proposed action alternative. The proposed action consists of the removal of the existing toilet, installation of a new, concrete double vault facility, and improving the parking area so it complies with access regulations.

### **II. Background**

This EA is in conformance with the 1995 Coos Bay District Record of Decision and Resource Management Plan (1995 ROD/RMP). The analysis supporting this decision tiers to the *Final Supplemental Environmental Impact Statement (EIS) on Management of Habitat for Late-Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl (Northwest Forest Plan)* (USDA and USDI 1994) and its *Record of Decision* (USDA and USDI 1994a).

### **III. Finding of No Significant Impact**

I am adopting the EA, in which the effects analysis indicates that there would not be a significant impact on the quality of the human environment from the implementation of either alternative. This finding and conclusion is based on my consideration of the Council of Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and intensity of the impacts described in the EA.

#### Context

The proposed action would occur within the Coos Bay Shorelands Special Recreation Management Area land use allocation as designated by the 1995 Coos Bay District ROD/RMP. The proposal consists of new disturbance for a 15 by 15 by 5-foot hole for the vaults. The project would provide a restroom facility in a popular recreation site. The project would not be regional or national in scope.

Intensity

*Impacts that may be both beneficial and adverse (40 CFR 1508.27 (b)(1))*

All impacts have been considered in the EA. The 1995 ROD/RMP anticipated these kinds of actions in developing Special Recreation Management Areas.

*Public Health and Safety (40 CFR 1508.27(b)(2))*

The public would benefit from the installation of a restroom at the beach. Health issues related to diseases from contact with human waste would be significantly diminished.

*Unique characteristics of the geographic area (40 CFR 1508.27(b)(3))*

There are no known historic or cultural resources within the project area as it is accreted sands resulting from the creation of the jetty. There are no prime or unique farmlands, wetlands, floodplains, Wild and Scenic Rivers, wilderness or Areas of Environmental Critical Concern.

*Degree to which effects are likely to be highly controversial (40 CFR 1508.27(b)(4))*

The effects on the quality of the human environment of the proposed activity are not highly controversial. This is a replacement activity in a nearby location.

*Degree to which effects are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5))*

The possible effects of the proposed action on the quality of the human environment are not highly uncertain and do not involve unique or unknown risk.

*Consideration of whether the action may establish a precedent for future actions with significant impacts (40 CFR 1508.27(b)(6))*

The proposed project does not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant effects.

*Consideration of whether the action is related to other actions with cumulatively significant impacts (40 CFR 1508.27(b)(7))*

There are no cumulatively significant impacts identified by the environmental assessment.

*Scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places (40 CFR 1508.27(b)(8))*

The proposed activities would not affect districts, sites, highways, structures or objects listed in or potentially eligible for listing in the National Register of Historic Places. Nor would the activities cause a loss or destruction of significant scientific, cultural or historical resources.

*Threatened or endangered species and their critical habitat (40 CFR 1508.27(b)(9))*

There are no threatened, endangered, or special status species in the project area, nor is there critical habitat. Analysis has also concluded that implementation of the proposed actions will not change the likelihood of and need for listing of any Special Status Species under the ESA as identified in BLM Manual 6840 and BLM OR/WA 6840 policy.

*Any effects that threaten a violation of Federal, State, or local laws or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10))*

The proposed action would not violate Federal, State or local laws imposed for the protection of the environment. These include the Endangered Species Act and the Clean Water Act.

Pursuant to Executive Order 13212, the BLM must consider the effects of this decision on the National Energy Policy. As there would be no impact to the exploration, development or transportation of undeveloped energy sources from the proposed action, a Statement of Adverse Energy Impacts is not required.

### **Conclusion**

Based on the information contained in the EA (DOI-BLM-OR-C030-2009-0010-EA), and all other information available to me I have determined that the proposed action would not have a significant impact on the human environment within the meaning of section 102(2) (c) of the National Environmental Policy Act of 1969, and that an Environmental Impact Statement is not required. I have determined that the effects of the proposed activities would be in conformance with the 1995 *Record of Decision/Resource Management Plan* for the Coos Bay District.

*/s/ A. Dennis Turowski*

*September 24, 2009*

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A. Dennis Turowski  
Umpqua Field Manager

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Date

# Bastendorff Beach Restroom and Parking Lot

Environmental Assessment

**EA No. DOI-BLM-OR-C030-2009-0010-EA**

Umpqua Field Office  
Coos Bay District  
Bureau of Land Management  
1300 Airport Lane  
North Bend OR 97459



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## **Chapter 1. Purpose and Need for Action**

### **Purpose and Location of Project**

The purpose of the project is to provide a restroom facility at the popular Bastendorff Beach recreation site to reduce unsanitary conditions. This project meets the following objective of the 1995 Coos Bay District Record of Decision and Resource Management Plan (1995 ROD/RMP): “Provide a wide range of developed and dispersed recreation opportunities that contribute to meeting projected recreation demand within the planning area. (p. 46).” The site is located off of Cape Arago Highway in Coos County, Oregon, in T.26S., R.14W., Sec.3, Lot 2. WM.

### **Need for Project**

Bastendorff Beach, located south of Charleston, in Coos County, Oregon is an important recreation area and is one of the most frequently visited stretches of the Oregon coast in northern Coos County. Part of the County road that accesses the beach traverses Bureau of Land Management (BLM)-administered lands. The BLM has issued the County a Right-of-Way (ROW) to maintain the road. The ROW includes several parking areas, one of which had a vault toilet which was maintained by the County. Several years ago the County ceased maintenance of the restroom and unsanitary conditions have increased in the area. The BLM and Oregon Parks and Recreation Department recently signed a Memorandum of Understanding (MOU) to cooperate in managing the area, including providing sanitary facilities at the site. Public health and safety are the concerns driving this project. There is a need for a restroom at this site.

Figure 1. Vicinity Map

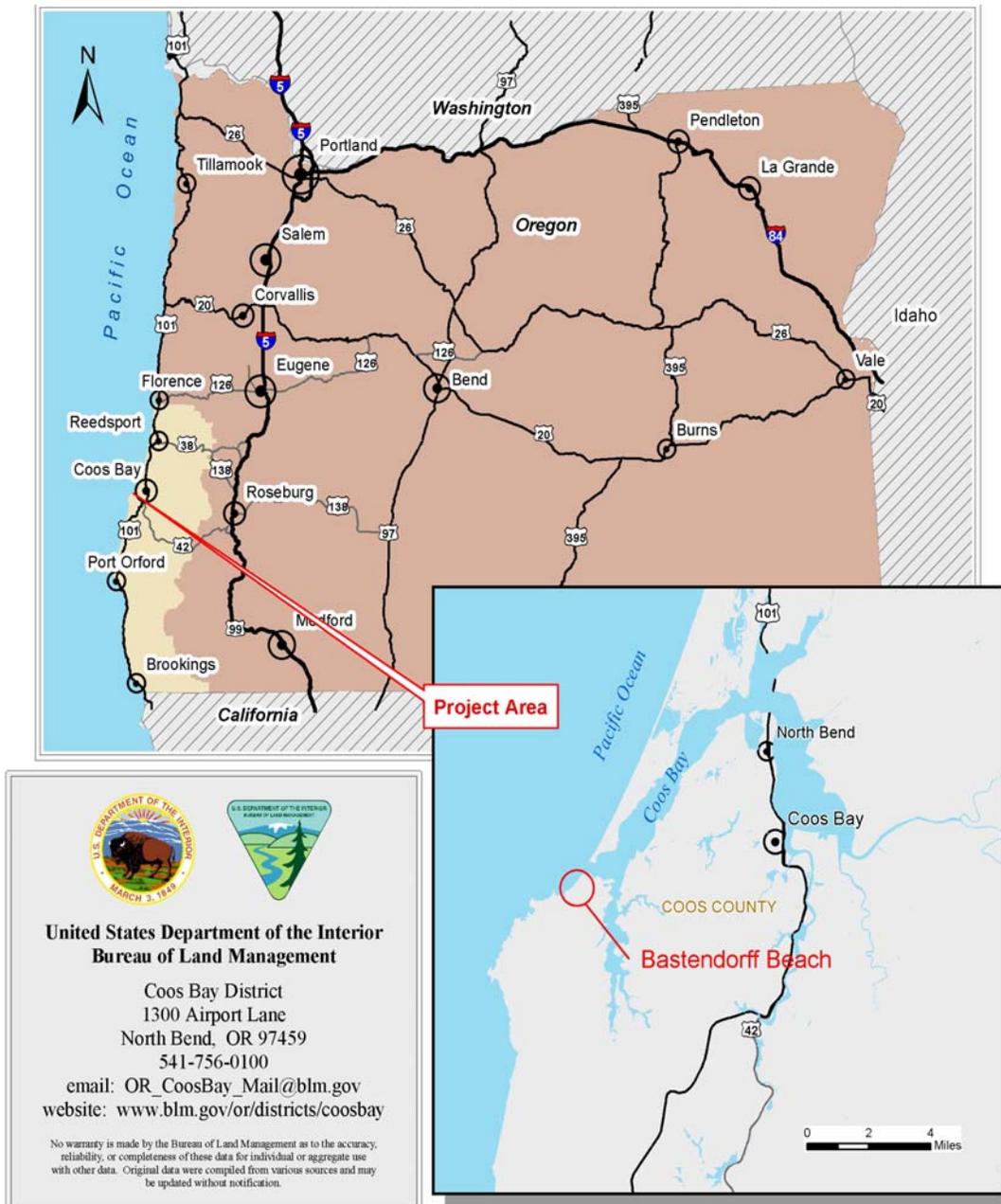


Figure 2. Proposed restroom site located on a 2005 aerial photograph.



## **Decision Factors**

In choosing the alternative that best meets the purpose and need, consideration would be given to the extent to which each alternative would:

1. Reduce the unsanitary conditions at Bastendorff Beach recreation site.
2. Comply with applicable laws, regulations and policies, including, but not limited to, the Clean Water Act, the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act and the Special Status Species Program.

## **Conformance with Existing Land Use Plans**

This action is in conformance with the *Coos Bay District Resource Management Plan/Final Environmental Impact Statement* (USDI 1994) and its *Record of Decision* (USDI 1995) by meeting the objective stated above. It is also in compliance with the Coos County Zoning and Land Use Plan and the Oregon Department of Environmental Quality policy.

## **Endangered Species Act**

There are no known endangered, threatened or special status species in the project area.

## **Decisions to Be Made**

The Proposed Action is to remove the old vault toilet, install a new, double-vault toilet building, smooth the parking area with gravel if needed and designate a universal access parking space by the new restroom.

The Field Manager of the Umpqua Field Office, Coos Bay BLM, must decide whether to purchase, install and periodically pump vaults for a new toilet facility at Bastendorff Beach. Removal of an existing toilet would also occur, in accordance with existing regulations. The Field Manager must also determine if the selected alternative would or would not constitute a major federal action significantly affecting the human environment. If the Manager decides it would not significantly affect the human environment, then the Manager can prepare and sign a FONSI (Finding of No Significant Impact).

If the Manager determines that the selected alternative would significantly affect the human environment, then the project must either be dropped, modified, or have an EIS (Environmental Impact Statement) prepared and signed before the project can proceed.

## **Chapter 2. Description of Alternatives**

### **No Action Alternative**

The No Action Alternative provides a baseline for the comparison of the alternatives. This alternative describes the existing condition and continuing trends. Under this Alternative, a new restroom facility and associated parking lot improvements would not be constructed. Increasing degradation of the beach area from the presence of human waste would continue along with concerns for public health.

## **Proposed Action**

The Proposed Action is to remove an old vault toilet, install a new, concrete, double vault unit, smooth the parking area and designate a universal access parking site. Access to the facility would be in compliance with the Architectural Barriers Act for federal facilities. There are four parking areas associated with the Bastendorff Beach area. The project site is the second from the most southern parking area. The proposed restroom site is approximately 120 feet east of the beach. The ground is accreted sand with non-native vegetation growing on it. The area of disturbance is approximately 15 by 15 feet and 5 feet deep. The vault toilet facility does not require running water, electric or sewer. Through the MOU with OPRD, routine maintenance and pumping of the vault would occur jointly between BLM and OPRD. To counteract potential buoyancy forces, BLM would pump the vaults during the spring as the water table recedes.

## **Project Design Features**

To prevent the introduction and spread of noxious weeds during the contract period, equipment would be washed prior to entering the project area.

If any potential cultural resources are encountered during the course of this project, all work in their vicinity shall stop and the District Archeologist must be notified at once.

A hazardous materials spill kit would be on site during the project and the proper authorities would be notified if a spill occurred.

## **Alternatives Considered but Eliminated from Analysis**

Providing flush restrooms in lieu of the vault toilet design was considered but eliminated due to the additional construction and expense of plumbing new water and sewer lines to the site.

## **Chapter 3. Affected Environment and Environmental Consequences**

This Chapter combines the affected environment (typically Environmental Assessment (EA) Chapter 3) and effects analysis discussion (usually Chapter 4) and has been arranged by specific resource values that may be affected. It identifies the direct, indirect and cumulative environmental affects that may result from implementation of either alternative described in Chapter 2. The description of the current conditions inherently includes and represents the cumulative effects of past and current land management activities undertaken by BLM, the County and OPRD.

## **Reasonably Foreseeable Actions**

Annual recurring activities are likely to occur within the project area. These include, but are not limited to, intense visitor use during warmer weather, storm watching, beach activities year-round, picnicking and pleasure touring. The Bastendorff Beach County Campground is within sight of the project area and is open year-round. The Bastendorff Beach county road is the nearest paved access available at no charge, to the Pacific Coast in the Coos Bay area. As such,

it is the primary access to the beach for many Coos County residents and visitors.

The Pacific Connector Gas Pipeline Project released the Final Environmental Impact Statement in May 2009. The Federal Energy Regulatory Commission has not issued its decision. However, this pipeline and associated Liquid Natural Gas facility would not occur within five miles of the project area.

### **Cumulative Effects Considerations**

The Council on Environmental Quality (CEQ) provided guidance on June 24, 2005, as to the extent to which agencies of the Federal Government are required to analyze the environmental effects of past actions when describing the cumulative environmental effect of a proposed action in accordance with Section 102 of the National Environmental Policy Act (NEPA). CEQ noted the “[e]nvironmental analysis required under NEPA is forward-looking” and “[r]eview of past actions is only required to the extent that this review informs agency decision making regarding the proposed action.” This is because a description of the current state of the environment inherently includes effects of past action. Guidance further states that “[g]enerally, agencies can conduct an adequate cumulative effects analysis by focusing on the current aggregate effects of past actions without delving into the historic details of individual past actions.”

The information on individual past actions is merely subjective, and would not be an acceptable scientific method to illuminate or predict the direct or indirect effects of the action alternative. The basis for predicting the direct and indirect effects of the action alternative should be based on generally accepted scientific methods such as empirical research. The cumulative effects of this project upon the environment did not identify any need to exhaustively list individual past actions or analyze, compare, or describe the environmental effects of individual past actions in order to complete an analysis which would be useful for illuminating or predicting the effects of the proposed action.

### **Recreation**

The primary purpose for the project’s parking area is access to the ocean beach. The site is a popular recreation site for residents, visitors and for the campers from the adjacent Bastendorff Beach County Park. The parking area is often full during warmer weather. Visitors spend anywhere from a few minutes to a few hours on site. Personal observation indicate the day-use beach is popular for dog walking, surfing, fishing, walking, sightseeing, beachcombing, water boarding, sunbathing, kite flying, playing in the sand, picnicking and all other beach associated activities. Winter storm watching is also popular. The adjacent Bastendorff Beach County Park receives approximately 50,000 campers each year according to Coos County Parks Department estimates.

#### *No Action*

Under this Alternative the visitors’ experience would continue to be marred by the preventable presence of human waste. Unsightly paper litter, offensive smells and the potential of spreading diseases such as Hepatitis, Giardia and E.Coli would continue to degrade visitors’ experience and health.

#### *Proposed Action*

The proposed action would address the need to provide a restroom facility to improve sanitary conditions. Professional experience indicates the facility would greatly reduce the sanitary degradation. Visitation numbers are not expected to change.

## **Hydrology**

### *No Action*

The No Action Alternative would not affect water quality because no actions would occur and the water table would not be affected.

### *Proposed Action*

The proposed action and operation of the restroom would not degrade water quality under typical summer and winter conditions. This conclusion is based on a review of the EA materials, a site visit, and information provided regarding this type of double vault toilet (<http://cxtinc.com/extreme.html>).

Removal and installation of the toilets would occur during the dry season when the water table is below the buried vaults. On August 3, 2009, a 3-inch auger was used to dig a hole 10.5 feet deep near the center of the proposed construction site. Damp, non-saturated sand was encountered from 2 to 10.5 feet below the surface. The proposed vaults are 4.3 feet deep.

During the winter there is little chance that waste water held in the vaults would mix with surface water. The new facility would be located on a vegetated dune that shows no signs of wave overwash, and fresh water ponds that develop during the wet season to the east of the proposed placement site don't get deep enough to flood the adjacent dunes. According to the Federal Emergency Management Agency Flood Insurance Rate Map No. 410042 0135B, the new restroom would be located above the 100-year flood zone.

Even if the water table were to rise to the base of the structure, buoyancy forces exerted on the two buried vaults should not shift or damage the structure. The buoyant force on a submerged object is equal to the weight of the liquid displaced by the object. The buoyant force on each of the vaults is approximately 335 cubic feet (the volume of the vault) multiplied by 62.4 lbs/cubic foot (the specific weight of fresh water). This equals approximately 21,000 lbs per vault. Net buoyancy equals the vault buoyancy minus the weight of the building, the weight of the two vaults, and the weight of waste water in the vaults. Because the building weighs 42,000 lbs, each vault weighs 21,000 lbs, and waste water weighs approximately 8.4 lbs. per gallon, the buoyancy is negative (i.e. the structure weight is greater than the weight of the displaced water).

## **Fisheries**

### Species Considered

Fish as defined by the Magnuson-Stevens Fishery Conservation and Management Act were considered in this analysis. Potential impacts to coho salmon, currently listed as Threatened under the Endangered Species Act (ESA), were given specific consideration.

### *No Action*

The No Action Alternative is not expected to have any impact on fish or fish habitat due to its

location away from fish bearing waters and the inability for any disturbance related impacts to be delivered to these waters.

*Proposed Action*

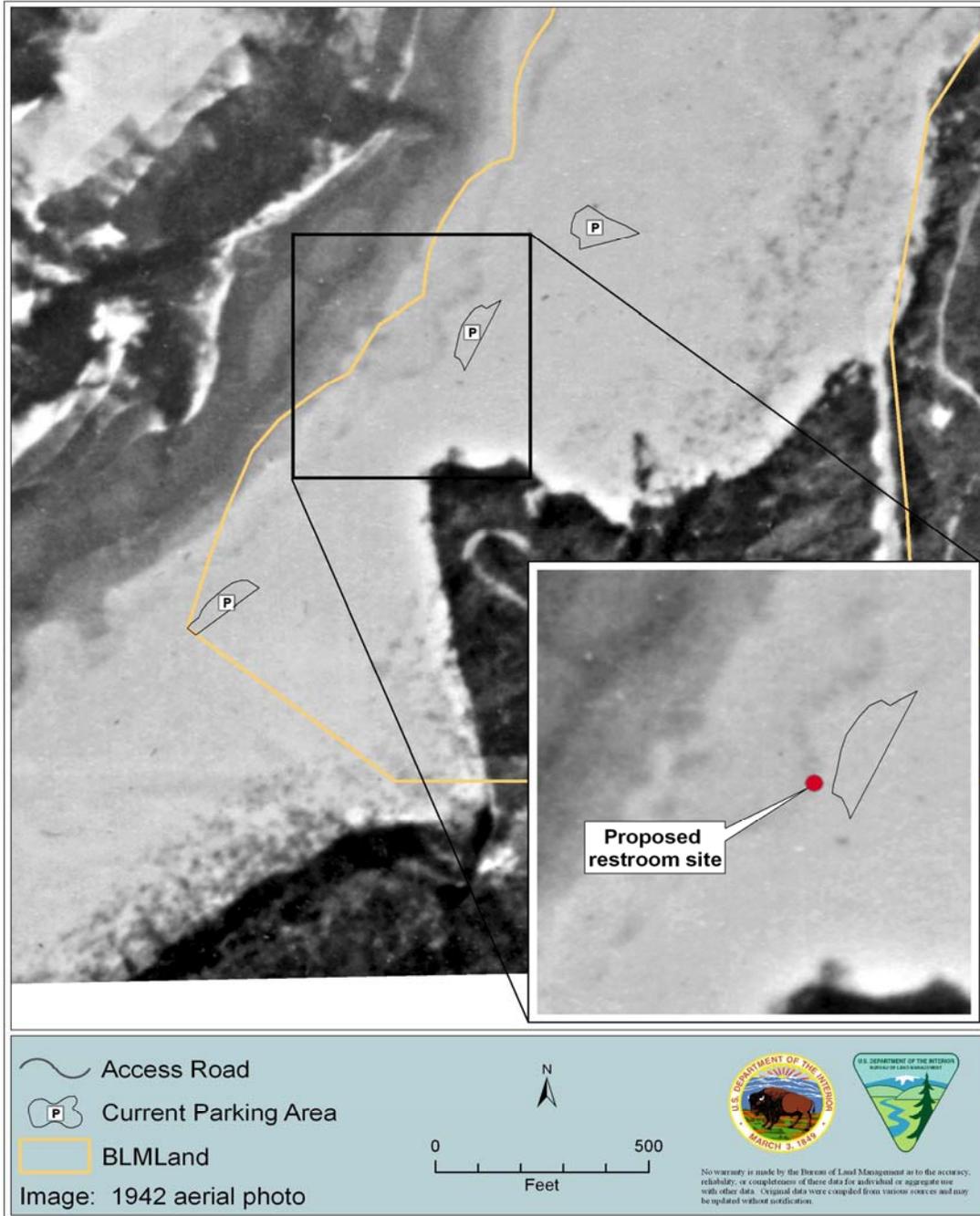
The removal of vegetation and disturbance of sand would have no impact upon fish or fish habitat. The location of the toilet, as approved by Oregon Department of Environmental Quality, would preclude the possibility of any sewage entering the adjacent Pacific Ocean under all but the most extreme weather events, such as atypically high surf coupled with severe winter storms or a tsunami capable of damaging the building. If such events were to occur, the delivery of sewage contained in the vault at that time, would be inconsequential in terms of potential impacts to fish.

The proposed action is not expected to have any impact on fish or fish habitat due to its location away from fish bearing waters and the inability for any disturbance related impacts to be delivered to these waters.

**Cultural Resources and Native American Religious Concerns**

Cultural resources would not be affected by this ground disturbance, as the landform is a relatively recent addition. It is clear from observation of the 1942 aerial photograph of this beach that the wave-swept sand extended to the cliff face, at least 500 feet east of the proposed restroom location (Figure 3). Thus, the location of the proposed action is newly reclaimed land, and it is not expected that any significant cultural resources would be affected by the placement of this restroom on newly reclaimed land.

Figure 3. Proposed restroom site superimposed on a 1942 aerial photograph.



### **Other Resources not Affected by the Proposed Action:**

- Wildlife – No threatened, endangered or special status species are in the area and the construction disturbance would be temporary.
- Solid and Hazardous Waste – Vault pumping would occur utilizing standard, accepted practices. A spill kit would be on site during the removal of the old vault and installation of the new facility. Appropriate authorities would be notified if a spill occurred.
- Geology – The placement of a small building would not interfere with the natural movement of sands in the area.
- Vegetation – No threatened, endangered or special status species are in the area. Installation of the restroom would remove Scotch broom and European beach grass which are exotic species.
- Environmental Justice - The proposed area of activity is not known to be used by, or disproportionately used by, Native Americans, and minority or low-income populations for specific cultural activities, or at greater rates than the general population. This includes their relative geographic location and cultural, religious, employment, subsistence, or recreational activities that may bring them to the proposed area. Also, BLM concludes that no disproportionately high or adverse human health or environmental effects would occur to Native Americans and minority or low-income populations as a result of the proposed actions.

### **Other Critical Elements**

None of the following critical elements of the human environment are located within the project area or within a distance to be affected by the implementation of either alternative:

- Areas of Critical Environmental Concern
- Farmlands, Prime or Unique
- Flood Plains (as described in Executive Order 11988)
- Wild and Scenic Rivers
- Wilderness values
- Port-Orford cedar is not growing in or near the project site.
- Air Quality – the project would not affect air quality outside the potential for temporary, minimal dust and/or equipment exhaust occurring during installation.

## **Chapter 4. Lists of Agencies Contacted, Preparers and Acronyms**

### **List of Agencies Contacted**

Oregon Parks and Recreation, Southwest Region  
Coos County Planning Department  
Coos County Parks and Recreation Department  
Oregon Department of Environmental Quality

## **List of Preparers**

Nancy Zepf	Outdoor Recreation Planner
Jennifer Sperling	Botany
Glenn Harkleroad	Fish
John Colby	Hydrology
Steve Samuels	Archeology
Steve Langenstein	Wildlife
Tim Barnes	Geology
Paul Gammon	Hazardous Materials
Scott Knowles	Environmental Justice
John Guetterman	Maps
Meredith Childs	Weeds

## **List of Acronyms**

BLM	Bureau of Land Management
CEQ	Council on Environmental Quality
EA	Environmental Assessment
EIS	Environmental Impact Statement
ESA	Endangered Species Act
FONSI	Finding of No Significant Impact
MOU	Memorandum of Understanding
NEPA	National Environmental Policy Act
OPRD	Oregon Parks and Recreation Department
RMP	Resource Management Plan
ROD	Record of Decision
ROW	Right-of-Way
USDI	United States Department of Interior